



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 07/19/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

06/14-07/16lc

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500651

CASE NAME: MTR OF DANIELLE TSCHAN RICHARDSON

SEE ALSO 2

HEARING:

Hearing Re: SPOUSAL PROPERTY PETITION

COUNSEL:

CHRISTOPHER GAGE RICHARDSON	(PET)...MITCHELL I ROTH
DANIELLE TCHAN RICHARDSON	(DEC)...
GAGE KEATON RICHARDSON	(MIN)...MARK J. FLORY
GAVIN REED WHITLEY	(MIN)...MARK J. FLORY
GRANT CHRISTOPHER RICHARDSON	(MIN)...MARK J. FLORY
LISA MUCINO	(OBJ)...HARTNELL LAW GROUP
STATE OF CALIFORNIA FRANCHISE	(AGN)...

XREF: FAMSS1407215 (*Christopher G Richardson N Danielle T Richardson*)

See notes on matter 2

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500651

CASE NAME: MTR OF DANIELLE TSCHAN RICHARDSON

SEE ALSO 1

HEARING: Hearing Re: COMPLIANCE OF SETTLEMENT TERMS

COUNSEL:

CHRISTOPHER GAGE RICHARDSON	(PET)...MITCHELL I ROTH
DANIELLE TCHAN RICHARDSON	(DEC)...
GAGE KEATON RICHARDSON	(MIN)...MARK J. FLORY
GAVIN REED WHITLEY	(MIN)...MARK J. FLORY
GRANT CHRISTOPHER RICHARDSON	(MIN)...MARK J. FLORY
LISA MUCINO	(OBJ)...HARTNELL LAW GROUP
STATE OF CALIFORNIA FRANCHISE	(AGN)...

XREF: FAMSS1407215 (*Christopher G Richardson N Danielle T Richardson*)

GENERAL INFORMATION

Continued from **9/17/15** to file objections. Mark Flory appointed GAL for three minors.

Continued from **11/19/15** Counsel reports that petitioner has no objection to the three minors having an equal distribution.

Continued from **01/27/16, 03/29/16 and 05/12/16**. Settlement reached needs to be signed.

Continued from **07/21/16** at request of all parties for settlement to be finalized and signed.

Continued from 11/22/16 and 03/07/17.

OSC set on 03/07/17 when matter was referred to mediation.

On 06/21/17 Procedural requirements to be completed pending next hearing.

Continued from **07/26/17**. OSC dismissed as to dismissal.

Continued from 10/25/17 Court indicates that the tentative is to authorize the settlement reached by parties. Continued at request of Counsel due to oral objection by Hartnell.

Continued from **01/24/18**; counsel stipulated to completion date of briefing by 03/09/18.

Counsel indicated they will accept emailed receipt of tax document emailed by 01/29/18.

Continued from 04/05/18. Settlement recited on record. Counsel to prepare order and send out for signature by 04/13/18. Fee petition for Marky Flory to be filed by 06/29/18.

THIS CASE SET FOR HEARING ON **Compliance of Settlement/Spousal Property**
Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

1. Petitioner, Christopher Richardson, is seeking court confirm his half of the community property and determine decedent's half of community property, person and real, pass to petitioner.
2. Petitioner and decedent were in dissolution proceedings at the time of decedent Danielle Richardson's death. Petitioner does not set forth how the property was purchased, when decedent and petitioner were married or evidence that decedent's property should pass to petitioner when the will specifically intended to leave petitioner nothing [LFpg5]. Court to see sticky note on page 1 of petition. Points and Authorities; Final Brief filed 03/09/18 referred to Legal Research for review.
3. Decedent left two minor issues. **Does court still require** report of GAL Mark Flory?
JTD
4. **Need** settlement.
5. **Objections filed on 04/02/18 by Lisa Mucino Successor Trustee.**
6. Amended Creditor's claim filed 08/29/16 by FTB in the amount of \$7,729.45. However, this type of proceeding does not act or protect against Creditor's Claims.

RECOMMENDATION

Need settlement. Court's discretion re note 3.
(lc/sa//nb/lc/nb/lc/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501041

CASE NAME: MTR OF BETTY GENE SLATER

HEARING:

~~Accounting Review~~ by *** 2nd and Final Account

COUNSEL:

BETTY GENE SLATER	(DEC)...
BRYAN C HARTNELL	(TP)...
DAVID L WALLER	(PET)...HARTNELL LAW GROUP
GREGORY BACHMAN	(PET)...CRAIG E WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd and Final Account, Distribution and Petition for Allowance of Fees by Gregory Bachman, nephew.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$1,957,352.87 in cash.
2. Administrator and counsel seek statutory fees of \$36,036.83 each. Ok.
3. Counsel seeks extraordinary fees of \$9,165.50 for 56.15 hours at \$110/325 per hour for paralegal and attorney services. [Acct. 06/18LFpg40-47] **JTD**
4. Post deceased spouse's [Gerald Slater] case appears to be **PROPS1600307**. Court may wish to require notice of related case.
5. ~Proposed Order: 06/18/18.

RECOMMENDATION

Court's discretion re fees. If approved, set hearing on the filing of receipts and final discharge for **08/01/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3A ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600145

CASE NAME: JEANNE BRALEY AHLFELDT TRUST DATED 8/25/01

HEARING:
Readiness Calendar

COUNSEL:

JEANNE BRALEY AHLFELDT TRUST D	(TRU)...
JEANNE GAIL SMITH	(PET)...MARK J. ANDREW FLORY
ROBERT AHLFELDT	(OBJ)...JAMES B CHURCH

XREF: CONPS1500316 (*Jeanne Bradley Ahlfeldt*)

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600873
CASE NAME: MTR OF WILLIAM LESTER COX
HEARING: FIRST AND FINAL Account and Report of MELODY AMBER
COVERDELL and Petition for allowance of fees filed.

COUNSEL:

MELODY AMBER COVERDELL (PET)...GAUDY LAW, INC
WILLIAM LESTER COX (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Melody Coverdell, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$56,419.97 cash.
2. Executrix and counsel seek statutory fees of \$4,382.04 each. Ok.
3. Executrix seeks reimbursement of costs advanced of \$1,100. [06/07LFpg24]. **JTD**
4. Counsel seeks reimbursement of costs advanced of \$258.89. [06/07LFpg24]. **JTD**
5. Counsel seeks extraordinary compensation of \$4,300 for 11.5 hours at \$375 per hour [Acct. 06/07LFpg8]. **Need** itemization per local rule 20-904.
6. Executrix seeks extraordinary fees of \$2,000 for 80 hours at \$25 per hour. **Need** itemization per local rule 20-904.
7. **Need** statements to support Inventory and Appraisal cash balance and end account balance per local rule 20-908.
8. Executrix made preliminary distribution of \$14,700 to [LFpg16] to herself. However, **need** notice of proposed action per Pr.C. §§ 10580, 10520.
9. **Need** notice of hearing and proof of service for Mickey Ann Cox.
10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-9. If approved, set hearing on the filing of receipts and final discharge for **08/01/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

SEE ALSO 6

HEARING:

Hearing Re: STATUS CONFERENCE & TRIAL SETTING CONFERENCE

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

Status Conference – T.S.C. – No notes – JTD

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601271
CASE NAME: SHERMAN LEE MITCHELL

SEE ALSO 5

HEARING: Hearing Re: PETITION FOR AMENDED PROBATE OF LOST WILL

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

GENERAL INFORMATION:

Matter trailed from 12/18/17, dismissed on 01/02/18 and reset after request to set aside on 05/24/18.

THIS CASE IS SET FOR HEARING ON **[Amended 03/27/17]** Petition for Probate of **Lost** Will Letters Testamentary with full authority under IAEA by Sherman Mitchell II, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition indicates will waives bond. Net estate value \$302,400 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters Pr.C. § 8481(b).
2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Need** verified supplement addressing.
3. There are several wills attached to initial petition and in further supplements. Supplement filed 03/27/17 appears ambiguous and will submitted is **not dated**. **Need** supplement with will attached that petitioner is seeking to probate.
4. Amended petition indicates will is lost; however, section d(f)(3) is incomplete and there is no attachment 3f(3) attached. **Need** same.
5. **Need** amended Notice to Petition to Administer Estate and proof of service.
6. Section 5b of the petition must address whether the decedent was survived by a stepchild or foster child. **Court to clarify**.
7. **Objection filed 12/11/17 by Rianne Mitchell**.
8. ~Proposed Form Order: 03/27/17.

RECOMMENDATION:

Need to clear notes 2 - 5. Court's discretion. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700021

CASE NAME: Scott A. Torbett

HEARING:

Accounting Review by ***

COUNSEL:

LINDA S. GAXIOLA (PET)...HARTNELL LAW GROUP
SCOTT A. TORBETT (DEC)...

XREF PRODS1000818 (Joan Torbett)

GENERAL INFORMATION

Continued from 05/17/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration WWA issued to Linda Gaxiola, aunt/sole beneficiary, on 03/10/17; full authority, bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701063

CASE NAME: ROBERT G. RIVERA AKA ROBERT GARCIA RIVERA

HEARING:
Hearing Re: STATUS

COUNSEL:

ANGELA VARGAS	(OBJ)...ROBERT L KERN
ANGELA VARGAS	(PET)...ROBERT L KERN
ROBERT G. RIVERA	(DEC)...
ROBERT RIVERA JR.	(PET)...MARK H MCGUIRE

Status – No notes – JTD

(lc)

Future Hearing:

01/10/19 Hearing re: Petition for probate, letters of testamentary etc.

01/10/19 Readiness calendar

01/10/19 Hearing re: Petition for letters of admin w/limited etc.

01/10/19 *Court Trial*

02/14/19 *Trial*

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800561

CASE NAME: ROBERT BARNETT STRECKER

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

CAROLINE STRECKER (PET)...WILSON & WILSON
ROBERT BARNETT STRECKER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **limited** authority under IAEA by Caroline Strecker, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole heir and waives bond. Net estate value is \$200,000 in real property. Petitioner is a resident of Arizona; however, as limited authority is sought, appears ok as sale cannot commence without court approval.
2. **Need** proof of publication.
3. ~Proposed Form Order: 06/11/18.

RECOMMENDATION

RFA subject to note 2. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800582

CASE NAME: JOHN GOZALEZ MACIAS

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JOHN GONZALEZ MACIAS (DEC)...
SHIRLEY V. MACIAS (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Shirley [Sherley] Macias, spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner's name is spelled as "Sherley" in will. Court to confirm spelling of petitioner's name.
2. Will waives bond. Net estate value is \$145,000 of which \$2,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. **Need** proof of publication
4. ~Proposed Form Order: 06/14/18.

RECOMMENDATION

RFA subject to note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 07/19/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701072

CASE NAME: In re: Robert and Evelyn Vannix Family Trust

HEARING:

Petition for Removal and Replacement of Trustees, Breach of
Fiduciary Duty, Compel Accounting

COUNSEL:

DAVID LEE VANNIX	(RES)...
LARRY LEA VANNIX	(PET)... RICHARD T MILL
LINDA WILLEY EINSEBERG	()...
ROBERT AND EVELYN VANNIX FAMIL	(TRU)...

Currently under review by legal research.

Notice filed.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800011

CASE NAME: IN RE THE TRUST OF RUBY N TOWNLEY

HEARING:

Petition for Breach of Fiduciary Duty by Trust and for Removal
of Trustee, Account and Appointment

COUNSEL:

RUBY K DE FALCO (PET)...PRISCILLA C SOLARIO ESQ
TRUST OF RUBY N TOWNLEY (TRU)...

Currently under review by legal research. Waiver of Terry Townley to be filed by 04/02/18;
filed on 04/02/18 consenting and waiving notice. Other notice appears sufficient.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 07/19/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

HEARING:

Hearing Re: REQUEST BY CONSERVATOR TO TERMINATE CONSERVATORSHP

COUNSEL:

RAMON V MASONGSONG

(CPE)...PRO/PER

VINCENT RAPHAEL MASONGSONG

(CEE)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Request by conservator to Terminate Conservatorship.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 06/13/18 after review of Court Investigator report filed 06/06/18 and addendum filed 06/13/18. James Church appointed counsel.
2. **Need** report of Counsel Church.

RECOMMENDATION

Need report.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700221

CASE NAME: MTR OF ARTHUR PABLO GRIJALVA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CECELIA BARBA

COUNSEL:

ARTHUR PABLO GRIJALVA (CEP)...
CECELIA BARBA (CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Cecelia Barba, daughter, appointed conservator of the person and estate on 12/14/17, no bond.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c) [GC-341].
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 2-7.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700402

CASE NAME: MTR OF ADRIANA E GOMEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CECILIA E GOMEZ

COUNSEL:

ADRIANA E GOMEZ (CTP)...BROWN WHITE & NEWHOUSE, LLP
CECILIA E GOMEZ (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Cecilia and Alastier Gomez, parents, appointed **limited** conservators of the person only on 12/14/17. Alastier was added nunc pro tunc at hearing; however, does not appear to have completed the following: Court may wish to require.
 - a. Confidential Screening form.
 - b. Duties and Liabilities.
 - c. Certificate of Completion of the Conservatorship Training Class.
2. Proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights filed 01/03/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 01/18/18.

RECOMMENDATION

Court's discretion re note 1.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 07/19/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1701032

CASE NAME: RODRIGUEZ DYNASTY TRUST DATED JULY 7,1989

SEE ALSO 16A

HEARING:

Hearing Re: COURT TRIAL

COUNSEL:

ISABELLE REINHARDT

(PET)...M DANIEL SAYLOR

RODRIGUEZ DYNASTY TRUST DATED (TRU)...

Trial – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16A ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1701032

CASE NAME: RODRIGUEZ DYNASTY TRUST DATED JULY 7,1989

SEE ALSO 16

HEARING:
Petition for INSTRUCTIONS

COUNSEL:
ISABELLE REINHARDT (PET)...M DANIEL SAYLOR
RODRIGUEZ DYNASTY TRUST DATED (TRU)...

Currently under review by Legal Research.
(LR)

30 days' notice filed 03/21/18.

(lc/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 07/19/18 TIME: 1:30 DEPT: S35P

CASE#: SPR SS06182

CASE NAME: MTR OF DAVE TONY DOMINGUEZ

HEARING:

Hearing Re: COURT TRIAL (FOURTH DAY OF TRIAL)

COUNSEL:

ALAN SHEPPARD	(PRO/PER
DAVE TONY DOMINGUEZ	(DEC)...
DEPT OF HEALTH CARE SERVICES	(TP)...
LUIS A TRUJILLO	(PET)...EVA HOLCOMB-MALHOTRA
ROSEMARY C DOMINGUEZ	(PET)...HARTNELL
ROSEMARY C DOMINGUEZ	(PET)...RYAN J GALLANT

Trial – No notes – JTD

(lc)

Future Hearing: 07/20/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1708950

CASE NAME: WALKER -v- COLLINS, ETAL

HEARING:
Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

KAYLA COLLINS	(PRO/PER
SANDY COLLINS	(DEF)...BROWN WHITE & OSBORN
TAMMY WALKER	(PLA)...YOLANDA FLORES-BURT
TANIA DUGGER	(PRO/PER

***CCP170.6 filed as to Judge STANFORD E. REICHERT, case
reassigned to Judge JAMES MICHAEL WELCH for all purposes.***

XREF: PROPS1501021 (Ruby Beatrice Smith)

T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0700115

CASE NAME: LINDEL FIELDS

HEARING:

Hearing re Final Discharge

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (LANAK & HANNA	
ANDREA GEE esq	(TP)... ANDREA GEE
BENNIE E FIELDS	(PET)...BETTYE BARNARD
JORDAN FIELDS	(PET)...ANDREA GEE
LINDEL FIELDS	(DEC)...
PAYTON FIELDS	(PET)... ANDREA GEE
PAYTON WILLIAMS	(PET)...ANDREA GEE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Distribution for **Bennie Fields, prior administrator**, approved on 06/06/18.
2. As final distribution for successor administrators has been approved, receipts no longer required.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.

(lc)

Future Hearing: 06/12/19 Final Discharge of **Jordan Fields and Payton Williams, successor administrators.**

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100146

CASE NAME: SPECIAL NEEDS TRUST OF MITZI MICHELLE PAUL

HEARING:

Accounting Review by ***

COUNSEL:

CARI PAUL KNOWLES	(PET)...DAVID M GROSSMAN
CARI PAUL KNOWLES	(PET)...JOHN J STANTON
KAREN PAUL	(PET)...DAVID M GROSSMAN
MITZI MICHELLE PAUL	(BEN)...
SPECIAL NEEDS TRUST OF MITZI M	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 3rd SNT Account for Cari Paul Knowles, Trustee, approved on 01/12/17.
2. **Need** 4th Account beginning with 05/06/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400956

Vacated

CASE NAME: MANUEL & IRENE PEREZ LIVING TRUST DATED 1/12/00

HEARING:

Accounting Review by ***

COUNSEL:

HELENA PEREZ (PET)...MCGARRIGLE, KENNEY & ZAMPIELLO
LINDA MAXWELL (STE)...ELISABETH KEMPE-OLINGER
MANUEL & IRENE PEREZ LIVING TR (TRU)...

XREF: PROPS1400984 (Manuel D Perez) 12/12/18 Final Discharge

(lc)

Future hearing dates: 08/28/18 1st Account by Linda Maxwell.

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501021

CASE NAME: RUBY BEATRICE SMITH

HEARING:

Petition for TERMINATION OF FURTHER PROCEEDING AND FOR
DISCHARGE

COUNSEL:

RUBY BEATRICE SMITH (DEC)...
SANDY RENEE COLLINS (PET)...MARK J. ANDREW FLORY
TAMMY MARLENE WALKER (PET)...YOLANDA FLORES-BURT

XREF: CIVDS1708950 (Walker-v-Collins, etal)

GENERAL INFORMATION

Continued from 09/07/17, 02/08/18 and 04/05/18; related civil case mediation is in June.

THIS CASE SET FOR HEARING ON Petition to Terminate Further Proceedings Pr.C. § 12251 by Sandy Collins.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Sandy Collins, daughter, on 03/02/16; full authority no bond.
2. Petitioner seeks termination of the estate on the basis that all of decedent's property has been discovered to be held in the revocable trust, held in joint tenancy or had a pay on death beneficiary.
3. Waiver of the probate referee is permitted by Pr.C. § 8903, for good cause shown.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501184

CASE NAME: MTR OF BARBARA L WHITTEN

HEARING:

Accounting Review by ***

COUNSEL:

BARBARA L WHITTEN (DEC)...
MONTE PRESCHER (PET)...BANKS GARCIA & JANIS

GENERAL INFORMATION

Continued from 04/05/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Monte Prescher, son on 01/26/17; full authority, no bond.
2. Final Inventory and Appraisal filed 08/24/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600198

CASE NAME: MTR OF MAUD I HARRIS

HEARING:

Hearing Re: Status on Mediation/Settlement/Trial dates

COUNSEL:

DEBORAH DEXTER-MENDEZ	(PET)...HARTNELL LAW GROUP
DEBORAH DEXTER-MENDEZ	(PET)...RYAN J GALLANT
JOSEPH J FONDY	(TP)...PRO/PER
MAUD I HARRIS	(DEC)...

XREF: SPRSS06988 (Madeline M Dexter) 7/26/18 Status report.

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status on Mediation/Settlement/Trial Dates.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set at 04/26/18 M.S.C. Court and counsel confer off the record. Parties still working on settlement.
2. Last status report for administrator Deborah Mendez, niece, approved on 09/11/17.

RECOMMENDATION

Inquire status. Court may wish to set Accounting review back on calendar.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601155

CASE NAME: JACK LIN SPOHN

HEARING:

Hearing Re: AMENDED SPOUSAL PROPERTY

COUNSEL:

JACK LIN SPOHN

(DEC)...

LISA SPOHN

(PET)...STANLEY W HODGE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended** Spousal Property Petition by Lisa Spohn, spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks court determine that community property left by decedent, real property located in Victorville, transfers to petitioner without administration per terms of will.
2. Petitioner names petition as amended; however, original petition granted on 05/14/17, merely failed to list a second parcel of property. It appears to be a **subsequent** spousal property petition.
3. All heirs waive notice.
4. ~Proposed form order: 06/07/18.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601225

CASE NAME: WILLIAM CARROLL WHITE

HEARING:

Accounting Review by ***

COUNSEL:

PAMELA D MARIENFELDT (PET)...DENNIS J HEALEY
WILLIAM CARROLL WHITE (DEC)...

GENERAL INFORMATION

Continued from 05/03/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration WWA issued to Pamela Marienfeldt, daughter, on 02/23/17; full authority, no bond.
2. Final Inventory and Appraisal filed 04/26/17; however, section 5 is incomplete as to tax certificate. **Need** tax certificate.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700126

CASE NAME: THE CHIOVARE LIVING TRUST DATED JUNE 14,2013

HEARING:

Hearing Re: Status Conference

COUNSEL:

CHRISTINE D SAWTELL	(PET)...WARD & WARD
FRANK LEMMO	(PRO/PER
FRANK LEMMO	(THOMAS W DOMINICK
JOSEPH A CHIOVARE	(PET)...WARD & WARD
MICHAEL V CHIOVARE	(PET)...WARD & WARD
STEVEN J CHIOVARE	(PET)...WARD & WARD
THE CHIOVARE LIVING TRUST DATE	(TRU)...
THERESA L CHIOVARE	(OBJ)...JAMES B CHURCH

Status Conference – No notes – JTD *Notice of Settlement of case filed 04/05/18.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700275

CASE NAME: HEDWIG BAUMER

HEARING:

Petition for request for order compelling BOFA N.A.'s appearance
before the court to make an account

COUNSEL:

URSULA JIMISON	(PET)...FULLERTON LEMANN SCHAEFER
HEDWIG BAUMER	(DEC)...
COMERICA BANK & TRUST, NA	(PET)...THE LAW OFFICES OF SCOTTM
URSULA JIMISON	(PET)...FULLERTON LEMANN SCHAEFER &
COMERICA BANK & TRUST, NA	(OBJ)...THE LAW OFFICES OF SCOTTM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Request for Order Compelling Bank of America N.A.'s Appearance to Make Account etc Pr.C.§ 8873 by Ursula Jimison, daughter/sole heir.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Ursula Jimison, on 09/27/17; full authority no bond.
2. Executor alleges that Bank of America would only release information for one account, but not both. The second account reportedly consists of rotating municipal bonds. As a result, executor has unable to fulfill her duties and decedent's related Trust Administration cannot be concluded until the trust is recipient of funds held by Bank of America.
3. Citation served on Bank of America 06/15/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 8/13/18 Petition for trustee's instructions 11/29/18 *Accounting Review*.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800544

CASE NAME: Robert Lee

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

CHRISTOPHER LEE (PET)...GLASER WEIL FINK HOWARD AVECHE
ROBERT LEE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Christopher Lee, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks bond of \$362,000. Ok.
2. ~Proposed Form Order: 06/06/18.

RECOMMENDATION

RFA, \$362,000 bond. If approved, set Accounting/Status Review for **09/26/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800550

CASE NAME: MTR OF DAVID S HULL

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DAVID S HULL (DEC)...
DEANNE MILLER (PET)...ARTHUR H. LAMPEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Deanne Miller, sister.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole heir and waives bond. Net estate value is \$195,000 of which \$5,000 is personal property.
2. Section 8 lists Belinda Teggas; however, no relation stated. **Court to clarify.**
3. Notice of related case filed 06/14/18 indicating **TRUPS1800088** Hull Revocable Trust.
4. No proposed order submitted.

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800556

CASE NAME: HENRY B HARMON

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CARLY WROBLEWSKI	(PET)...	JASON ROBERT SAWYER
HENRY B HARMON	(DEC)...	
JAKE HARMON	(PET)...	JASON ROBERT SAWYER
MIKE HARMON	(PET)...	JASON ROBERT SAWYER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Mike and Jake Harmon; Carly Wroblewski, son and grandchildren.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are seeking 100% interest in decedent's 100% interest in real property per intestate succession. Jake and Carly are issue of predeceased child Lee Harmon; therefore, will receive 25% each and Mike will receive 50% as surviving child.
2. No proposed order submitted.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: SPR SS06988

CASE NAME: EST OF MADELINE M DEXTER

SEE ALSO 16

HEARING:

Hearing Re: Status on Mediation/Settlement/Trial Dates

COUNSEL:

CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
JOSEPH J FONDY	(TP)...PRO/PER
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
MADELINE M. DEXTER	(DEC)...

XREF: PROPS1600198 (*Maud I Harris*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status on Mediation/Settlement/Trial Dates.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 04/26/18 when counsel conferred in chambers off the record and still trying to settle.

RECOMMENDATION

Inquire status of settlement.

(lc)

Future Hearing:

07/26/18 Probate status report

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 8:30 DEPT: S36P

CASE#: SPR SS06988

Vacate

CASE NAME: EST OF MADELINE M DEXTER

SEE ALSO 15

HEARING:

~~Probate status report~~ Accounting review

COUNSEL:

CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
JOSEPH J FONDY	(TP)...PRO/PER
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
MADELINE M. DEXTER	(DEC)...

XREF: PROPS1600198 (Maud I Harris)

(lc)

Future Hearing:07/26/18 9th status report

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 07/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400336

CASE NAME: DAYNA ASHLEY COATES

HEARING:

Hearing Re: Status on Visitation

COUNSEL:

CHARLES COATES

(CPE)...PRO/PER

CHARLES COATES

(OBJ)...

DAYNA ASHLEY COATES

(CTP)...MITCHELL I ROTH

TAMMY MARIE MILITELLO

(CP)...HASLAM & THORNE, LLP

XREF: FAMVS1201123 (Tammy M Coates-v-Charles Coates)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status on Visitation.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 04/19/18 when counsel conferred on record. Court suggested that IRC take a more active role in visitation etc.

RECOMMENDATION

Inquire status

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800114

CASE NAME: Matthew M. Slee

HEARING:
Petition for Appointment of Conservator

COUNSEL:

MATTHEW M SLEE	(CTP)...DONNASUE ORTIZ
MICHAEL L SLEE	(CP)...LAYNE A BARTHOLOMEW
SILVIA M SLEE	(CP)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Continued from 05/31/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Michael and Silvia Slee, parents.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners seek powers re habilitation, treatment, training, medical etc. per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 04/17/18.
4. Citation returned served.
5. Proposed conservatee is developmentally disabled. **Need** report of Counsel Donnasue Smith Ortiz.
6. Proposed conservatee is developmentally disabled. IRC report filed 05/29/18.
7. Certificates of Completion of the Conservatorship Training Class filed 04/30/18.
8. Court Investigator report filed 05/24/18.
9. ~Proposed Form Order: 04/17/18.

RECOMMENDATION

Need report of counsel. If approved, set hearing for Compliance Review for **02/21/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 9:30 DEPT: S36P

CASE#: MC MS00062

CASE NAME: IN THE MATTER OF ROY LEE PAYNE III

HEARING:
Hearing Re: Status/Trial Setting Conference

COUNSEL:
JEANETTE PAYNE (PET)...PRO/PER
ROY LEE PAYNE (CTP)...MARK J. FLORY

Status – T.S.C – No notes – JTD *

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01006
CASE NAME: IN THE MATTER OF SCOTT J ROBINSON
HEARING: Petition for Appointment of Conservator

COUNSEL:

MARGIE NEAL	(CPE)...PRO/PER
REGENA L GRAVELY	(CPE)...PRO/PER
SCOTT J ROBINSON	(CEP)...PRO/PER
SCOTT J ROBINSON	(PLA)...PRO/PER

XREF: SCSS8402 (*Phillip A Bower*)

GENERAL INFORMATION:

Continued from 04/03/18. Walter Moore appointed counsel.

Continued from 05/10/18; possible resolution.

THIS CASE IS SET FOR HEARING ON Petition for **Successor** Conservatorship, person and estate by current Conservator Margie Neal for Regena Gravely, friend.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Margie Neal, appointed Conservator of the Person and Estate on 01/09/89 in Shasta County. Matter transferred on 04/07/97.
2. Petitioner requests no bond be required as conservatee receives only SSI and requiring bond would be a hardship. It appears estate could qualify per Pr.C. § 2323 as there is only public benefits. **Court to inquire** the continued need for estate powers.
3. Petitioner requests Pr. C. §2590 powers to operate, at the risk of the estate a business, farm, or enterprise constituting an asset of the estate and the power to pay, collect, compromise, or otherwise adjust claims, debts or demands upon the guardianship or conservatorship. **JTD**
4. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). Does court wish to require? **JTD**.
5. Proposed conservatee is developmentally disabled. Report of Counsel Moore filed 05/10/18.
6. There is currently no vacancy or resignation; however, as current Conservator is petitioner, court may wish to deem as resignation per Pr.C. § 2660. **JTD**
7. There does not appear to be consent filed, although duties are filed. **Court to verify** on the record that Regena Gravely consents to appointment. **JTD**

8. List of Required Contacts does not include conservatee's mother, C.J. Van Dyck. **Need** same.
9. Notice does not include mother, C.J. Van Dyck. **Need** proper service.
10. Section 4a to petition re: whether proposed conservatee is or is not a patient in or on leave of absence from a state institution is incomplete. **Need** verified supplement.
11. Petitioner requests an Order Dispensing with Notice as to father, Michael Robinson, whose whereabouts are unknown and for which mother has not had contact with since 1977. **JTD**
12. Capacity Declaration filed 03/15/18.
13. Court Investigator Report filed 03/26/18.
14. Certificate of Completion of the Conservatorship Training Class filed 03/01/18
15. ~Proposed Form Order: 02/20/18.

RECOMMENDATION:

Need to clear notes 8-10, court to clarify remaining notes. If approved, set hearing for Compliance Review for **02/21/19** for the filing of the required documents and hearing re Accounting Review for **09/26/19**. Any accounting to be filed 30 days in advance.

(nb/lc)

Future Hearing: 09/06/18 *Accounting Review re Margie Neal*

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 07/19/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS00116
CASE NAME: MTR OF CONSERVATORSHIP OF MARTIN ACOSTA
HEARING: Petition for TO DISMISS CONSERVATORSHIP PETITION

COUNSEL:

JOAQUIN A ACOSTA (PET)...
MARTIN ACOSTA (CEP)...PRO/PER
SANDRA ACOSTA (PET)...STANLEY W HODGE

GENERAL INFORMATION:

Continued from 05/26/16. Court deemed petition as a petition to terminate conservatorship of person and estate.

Continued from 08/11/16 and 10/27/16. Parties are still attempting to obtain a conservatorship in Nebraska.

Continued from 01/05/17. Counsel advised petitioner and conservatee may have moved out of California without the court's authority. Matter referred to Public Guardian and Court Investigator to gain information on the whereabouts of parties. Referred to Court Investigator.

Continued from 03/09/17. Conservator directed to register the conservatorship according to Nebraska Law. Case will be dismissed once proof is filed.

Continued from 07/13/17. No appearance. On 3/9/17 Court ordered petitioner Sandra Acosta to register a conservatorship in accordance to Nebraska law. There being no proof of a conservatorship in Nebraska the Court orders petitioner and counsel to appear in court on 8/31/17 with Martin Acosta. Conservator Sandra Acosta removed conservatee from California without the Courts permission.

Continued from 08/31/17. Sandra Acosta able to appear via court call at next hearing.

Continued from 11/30/17. Oral report given by Sandra Acosta. Conservator and conservatee are now residing in Colorado. Conservatorship to be established.

Continued from 02/15/18 for proof of conservatorship in Colorado.

Continued from 05/17/18.

THIS CASE IS SET FOR HEARING ON Declaration and Petition to Dismiss [Terminate] Conservatorship Petition.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Mother, Sandra Acosta, appointed Limited Conservatorship, person/estate, on 7/11/97, no bond. (Last waiver of account approved 10/19/10 and appears the estate consist solely of public benefits. Proposed Waiver of Account and Order returned for correction on 4/25/14 and 6/4/15.) Accounting Review on 1/6/16.

Counsel stated that the conservators will **not be returning** to California and appears will not be filing an accounting. **Need** waiver of account **or** proof of conservatorship of estate in Colorado. Petitioner waives accounting; however, **need** if court requires, need actual waiver of accounting with report or local form.

2. Petitioner, Sandra, is currently in Nebraska with the conservatee and will be moving to Colorado and is requesting dismissal; court deemed as termination. Petitioner and conservatee will not be returning to California.
3. Court Investigator memos/reports filed 2/15/13, 3/3/14, 6/25/14, 8/12/15 and **02/22/17**.
4. Declaration filed on 04/05/18 seeking a provisional transfer to Colorado; however, it appears this petition is for termination, rather than a transfer. Court to inquire.
5. ~Proposed order re provisional transfer submitted 04/5/18.

RECOMMENDATION:

Need to clear note 1. Need proof of conservatorship of estate in Colorado.

(sa/lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 07/19/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

SEE ALSO 2, 3, 4

HEARING:

Hearing Re: COMPLAINT FOR FRAUD, MISREPRESENTATION, ETC

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(PET)...EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHAM	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	()...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

Currently under review by legal research.

Continued matter. Notice not re-reviewed.

(lc)

Future Hearing:

07/30/18 Court Trial

08/01/18 Court Trial

08/02/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

SEE ALSO 1, 3, 4

HEARING:

Hearing Re: PETITION FOR LETTERS OF ADMIN W/FULL IAEA

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(PET)...EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHAM	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	()...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

GENERAL INFORMATION:

Continued from **03/01/16**. Attorney Mark Bridges states that he will be filing a will contest. Attorney David Philipson can file an ex parte for letters of special administration to address the issue with the red tagged property & funds that are not able to be deposited w/o letters.

Continued from **05/03/16**. Dennis Shogren appointed special administrator, \$4M bond.

Continued from **05/19/16, 06/30/16, 09/15/16, 01/10/17 and 05/04/17**. Counsel reported private mediation will be heard in late July or August. Counsel Church to lodge a copy of report with court. Judge Reilly will inform parties where they will be assigned and when their trial readiness hearing will be heard.

Continued from 08/03/17. Matter assigned for a long-cause trial to S26 with Judge **Cohn**. **Counsel reported that standing is an issue. Trial readiness taken off calendar pending next hearing.**

Continued from **10/26/17** at request of counsel.

Hearing on 02/13/18 was vacated and reset for 04/18/18 per Stip and Order filed 01/30/18.

Continued from 04/18/18. Trial readiness set on terminating sanctions issue.

THIS CASE IS SET FOR HEARING ON

- Petition 1- for Letters Testamentary with full authority under IAEA by **Daniel Brown, named executor.**
- Petition 2- for Letters of Administration with full authority under IAEA by **Dennis Shogren CPA.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Petitioner 1 Daniel Brown, executor

1. Petitioner requests \$43,200,000.00 bond be posted. Appears adequate.
2. Proof of Subscribing Witness filed 02/23/16.
3. **Need** Notice of Petition to Administer Estate with proof of service.
4. Lengthy Declaration filed by petitioner on 03/13/17 indicating personal property held. It appears that remaining items are minimal, keys, laptop, 2 motorcycles in disrepair and pennies.
5. **Objections filed by William Carter, Joan Cunningham and Carol Marshall on 02/26/16. Objections and will contest also filed by same parties on 05/03/16. Proof of summons filed 06/29/16 per Pr.C. § 8250.**
6. **First amended Contest and Grounds of Objection to Probate filed 11/10/16 by William Carter, Joan Cunningham and Carol Marshall. Proof of service filed 11/10/16. However, need proof of summons of amended Contest per Pr. C. § 8250.**
7. **Reply and Objections to First Amended Contest filed 01/03/17 by Daniel Brown.**
8. **Supp with joinder filed 07/20/17. Barbara Sagehorn, paternal aunt, joins in petition for probate and does not object. Court to clarify if Barbara is merely approving petition by Daniel or is seeking to be co-administrator.**
9. ~Proposed Form Order/Letters 01/11/16.

Petitioner 2 Dennis Shogren, CPA

10. Petitioner requests bond of \$1,000,000. Estate is valued at \$43,200,000.
11. Petitioner attaches will; however, is not probating the will.
12. Petitioner is nominee by cousins; the only heirs at law William Carter, Joan Cunningham and Carol Marshall.
13. List of firearms filed on 05/23/17.
14. ~Proposed Form Order: 05/4/16.

RECOMMENDATION:

Matter is contested, need to clear note 3 & 6. Petitioner 1 appears to have higher priority. If approved, set future hearing for Accounting/Status Review on **09/26/19**. Any account to be filed 30 days in advance. Note requirements of Local Rules.

(nb/lc/nb/lc/nb/lh/lc)

Future Hearing:

07/30/18 Court Trial

08/01/18 Court Trial

08/02/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

SEE ALSO 1, 2, 4

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL/LETTERS W/FULL IAEA

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(PET)...EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	()...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

See notes on matter 2.

(lc)

Future Hearing:

07/30/18 Court Trial

08/01/18 Court Trial

08/02/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

SEE ALSO 1, 2, 3

HEARING:
Readiness Calendar

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(PET)...EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	()...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

Readiness – No notes – JTD

(lc)

Future Hearing:
07/30/18 *Court Trial*
08/01/18 *Court Trial*
08/02/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600900

Vacated

CASE NAME: PALMIRA N PASCUA

HEARING:

Accounting Review by ***

COUNSEL:

NANCY A LOPEZ (PET)...PRO/PER

PALMIRA N PASCUA (DEC)...

(lc)

Future hearing dates: 08/07/18 Final Account by Nancy Lopez

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601027
CASE NAME: MARIA ELENA FLORES GUERRERO
HEARING: First and final Account and Report of MARIN FLORES AVILA and
Petition for allowance of fees filed.

COUNSEL:
MARIA ELENA FLORES GUERRERO (DEC)...
MARIN FLORES AVILA (PET)...GEORGINA LEPE

Request for Waiver of Court Fees and Costs filed by MARIN FLORES AVILA is GRANTED
Fee waiver amount due \$955.50

GENERAL INFORMATION

Continued from 04/19/18. Preliminary distribution approved on 6/11/18 and bond increased due to sale of real property.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Marin Avila, spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$191,317.10 in cash.
2. Administrator and Counsel seek statutory fees of \$9,200 each. Ok.
3. Administrator seeks to reimburse counsel \$1,995.50 which has a remaining balance of \$1,505.50. [Acct. 03/05LFpg6, 06/27/18 LFpg4].
4. Administrator seeks a reserve of \$1,500.
5. Administrator reduced his 1/3rd share to 15% and increased the shares of the 3 children.
6. Administrator appears to have previously preliminary distributed \$3,000 to each heir, including himself with Notice of Proposed Action; Per Pr.C. § 10510; however, Pr.C. § 10520 allows if will distributes pecuniary interest, yet there is no will. There does not appear to be harm to the estate as to creditors.
7. ~Proposed Order: 07/09/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **08/01/19**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601249

CASE NAME: MTR OF DEE SHCNEPF-EWING

HEARING:

Accounting Review by ***

COUNSEL:

ABRAHAM TEKIN	(CC)...THOMPSON & COLEGATE
ABRAHAM TEKIN	(PET)...THOMPSON & COLEGATE
ANGELA LANDIN	(PET)...DIANA J CARLONI
BO RAMOS	(MIN)...PRO/PER
DEE SHCNEPF-EWING	(DEC)...
OZEL DEVELOPERS, INC	(PET)...THOMPSON & COLEGATE
SURETEC INSURANCE COMPANY	(TP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Angela Landin, daughter on 06/20/17; full authority, \$75,000 bond.
2. Partial Inventory and Appraisal filed 08/22/17 indicating \$140,000 in real property. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Future hearing dates: 11/05/18 Petition for Financial Abuse 11/05/18 Petition for Specific Performance 11/05/18 Petition for Declaratory Relief or Breach 11/05/18 Petition for Enforcement of Creditor's Claims etc. 11/05/18 Status/Conf of Counsel

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700577

CASE NAME: MARGARET GLENNA HARRIS

HEARING:

Petition for final distribution on waiver of Account and Report
of MARGARET G REED and Petition for allowance of fees filed.

COUNSEL:

MARGARET GLENNA HARRIS (DEC)...
MARGARET G REED (PET)...HAROLD CHRISTOPHER HERITAGE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Margaret Reed, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$113,548.42 in cash.
2. Administrator is sole heir, waives accounting and statutory compensation.
3. Counsel seeks statutory fees of \$7,527.29, reduced from \$8,363.66. Ok.
4. ~Proposed Order: 05/10/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **08/01/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800547

CASE NAME: MTR OF JAMES ALTON PEARCE JR

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JAMES ALTON PEARCE JR (DEC)...
KEVIN O'BRIEN (PET)...DEBRA S POPINEAU

GENERAL INFORMATION

Kevin O'Brien appointed special administrator; \$1,744,800 bond.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Kevin O'Brien, son-in-law.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Net estate value is \$1,744,800 of which \$1,454,800 is personal property. Court for good cause could require bond per Pr.C. § 8481(b). **JTD**
2. Decedent left two minor beneficiaries, Kinsley and Landyn.
3. ~Proposed Form Order: 06/07/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800549

CASE NAME: MTR OF MOHAMMAD BAGHER SARAPOUR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JAVAD SARAPOUR (PET)...MAX M ALAVI
MOHAMMAD BAGHER SARAPOUR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Javad Saraipour, brother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks 100% interest in decedent's 100% interest in real property per intestate succession.
2. ~Proposed Form Order: 07/06/18.

RECOMMENDATION

RFA.
(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800557

CASE NAME: MTR OF KEVIN GRAHAM DAWSON

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

ASHIA SIERA DAWSON (PET)...PRO/PER
KEVIN GRAHAM DAWSON (DEC)...

GENERAL INFORMATION

Exparte hearing continued from 06/18/18 to 06/20/18 for notice. Letters of special
administration issued to Ashia on 06/20/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Ashia Dawson, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. Net estate value is unknown. Court for good cause could
require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 06/08/18.

RECOMMENDATION

Need to clear notes 2-3. If approved, set Accounting/Status Review for **09/26/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800580

CASE NAME: Edwin Charles Parker

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

EDWIN CHARLES PARKER (DEC)...
VALERIE PARKER (PET)...ELBERT W MUNCY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Valerie Parker, spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. Net estate value is \$300,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication.
3. ~Proposed Form Order: 06/14/18.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **09/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 07/19/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1200290

CASE NAME: JEREMIAH ARAGON SPECIAL NEEDS TRUST

HEARING:

Petition for Approval of Fourth Account and Report of
WESTAMERICA BANK and Petition for allowance of fees filed.

COUNSEL:

JEREMIAH ARAGON SPECIAL NEEDS TRUST (TRU)...
WESTAMERICA BANK (PET)...RANDOLPH M SHARON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4th Account Current of Trustee and Petition for Fees by Westamerica Bank, Trustee.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers 04/01/16 – 01/31/18.
2. Assets on hand: \$967,225.30 (cash of \$61,499.23 and the balance in carry value of securities).
3. Petitioner/trustee requests approval of fees already taken in accordance with the Order of the Court in the amount of \$33,358.20. The court order provides trustee is entitled to 1.5% of the trust assets (or minimally \$2,500/year) [see LF p13 to SNT affixed to first account filed 04/16/12]. Calculated.
4. Attorney requests fees of \$3,000, plus reimbursement of costs of \$230. Attorney alleges his current billing rate is \$400/hour which would calculate to \$3,600 - \$4,150, but has agreed to a flat fee of \$3,000. Services are generally itemized [LF, p8]. **JTD**
5. No bond, corporate fiduciary.
6. ~Proposed Order: 05/04/18.

RECOMMENDATION:

Court's discretion re fees. If approved, set next accounting review for **04/11/19** (if one year) and **04/09/20** (if two years). Accounting to be filed 30 days' in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100039

Vacated

CASE NAME: TERRY H. FOX

HEARING:

Accounting Review by ***

COUNSEL:

MITCHELL I ROTH

(PET)...

RONALD M. PASHBY

(CPE)...LAYNE A BARTHOLOMEW

TERRY H FOX

(CEP)...MITCHELL I ROTH

(lc)

Future hearing dates: 08/15/18 4th Account by Ronald Pashby

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700039
CASE NAME: MTR OF TOMASA DE CASAS
HEARING: PETITION FOR APPROVAL OF THE FIRST Account and Report of
MARIA DE CASAS and Petition for allowance of fees filed.

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
MIGUELITO DE CASAS	(PET)...DUANE P BOOTH
TOMASA DE CASAS	(CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current of Conservatorship and Petition for Allowance of Fees by Maria De Casas, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 02/08/17 – 02/08/18.
2. Assets on hand \$14,335.68 in cash.
3. Beginning assets on hand does not match Inventory and Appraisal balance of \$2,225.99. **Supp 7/10:** discrepancy is allegedly due to assets in trust. Question why a corrected Inventory and Appraisal should not be filed?
4. Conservator seeks fees of \$189.75 for 17.25 hours at \$11 per hour.
5. Declaration filed by Matthew Sheasby on 06/05/18 seeking attorney's fees of \$39,524.04, of which \$1,560.54 is costs, for 104.70 hours at \$360/425 per hour for attorney services. **See next note.**
6. Conservator has advanced \$24,966.59 in fees and costs and seeks payment to Counsel for fees and costs of \$14,557.45.
7. Conservator seeks reimbursement of aforementioned fees and costs of \$24,966.59.
8. Question why there are also bank statements in the name of Conservator only that are not part of the accounting [con.06/05/18LFpg65]. **Supp 7/10** Alleges that conservator felt it was proper to see advancement in fees.
9. Conservator seeks reimbursement of costs totaling \$988.93. [Acct.06/05 LFpg20].
JTD
10. Proposed Order: 06/05/18; however, beginning of accounting period is not stated.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **04/04/19** (if one year) or **04/02/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Future hearing dates: 4/10/19 Accounting review re Trust

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700419

CASE NAME: MTR OF JACQUELINE MENDOZA

HEARING:

Order to Show Cause RE: Why Jerry Mendoza Shouldn't Reimburse
the County

COUNSEL:

JACQUELINE MENDOZA (CTP)...E. JOAN NELMS
SALLIE MENDOZA (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC Why Jerry Mendoza Shouldn't Reimburse
County.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 04/15/18 when Sallie Mendoza, mother, was appointed **limited**
conservator of person.
2. Jerry Mendoza, father, to immediately release any and all property, including splints
made for conservatee paid by San Bernardino County, toys, clothes etc.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Future Hearing: 11/15/18 Compliance review hearing

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800163

CASE NAME: PABLO MARTINEZ

HEARING: Petition for Appointment of Conservator

COUNSEL:

ANGEL MARTINEZ	(PET)...PRO/PER
BEVERLY MARTINEZ	(PET)...PRO/PER
PABLO MARTINEZ	(CEE)...
PERFECTA MARTINEZ	(PET)...PRO/PER

XREF: EAPPS1800067 (*Martinez vs Martinez*)

GENERAL INFORMATION

Beverly and Angel Martinez, daughter and grandchild appointed temporary conservators on 06/11/18, person and estate no bond. Beverly to ensure Social Security payments are returned to spouse. Mitchell Roth appointed GAL.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Beverly and Angel Martinez, daughter and grandchild

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners seek bond TBD as assets are not yet known.
2. Petitioners allege an equivalent petition has been filed in another jurisdiction, which may include court of Indian Tribe Pr.C. § 2031(b). Court to inquire as no Tribe has been stated.
3. Petitioners seek medical powers. **Need** Capacity Declaration.
4. Petitioners seek dementia powers. **Need** appointment of counsel for report.
5. **Need** report of GAL Mitchell Roth
6. **Need** notice of hearing and proof of service.
7. **Need** list of required contacts (Local form SB-12224).
8. **Need** return of citation.
9. Certificates of Completion of the Conservatorship Training Class filed 07/05/18.
10. Court Investigator special report filed 07/11/18.
11. Declarations filed on 06/08/18 by Beverly and Sonia Urquizu in support of conservatorship with allegations of lack of care by spouse Perfecta.
12. ~Proposed Form Order: 06/01/18.

RECOMMENDATION

Need to clear notes 3-8, Trail competing petition hearing on **07/31/18**. If approved, set hearing for Compliance Review for **02/21/19** for the filing of the required documents and hearing re Accounting Review for **09/26/19**. Any accounting to be filed 30 days in advance.
(lc)

Future Hearing: 07/31/18 Petition for appointing conservator of the person by spouse
Perfecta.

Superior Court of Calif, County of San Bernardino

Page: 17A

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800163

CASE NAME: PABLO MARTINEZ

SEE ALSO 17

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

ANGEL MARTINEZ (PET)...PRO/PER

BEVERLY MARTINEZ (PET)...PRO/PER

PABLO MARTINEZ (CEE)...

PERFECTA MARTINEZ (PET)...PRO/PER

XREF: EAPPS1800067 (*Martinez vs Martinez*)

Temporary hearing – No notes – JTD

(lc)

Future Hearing: 07/31/18 Petition for appointing conservator of the person

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800168
CASE NAME: Franklin James Rochelle II
HEARING: Petition for Appointment of Conservator

COUNSEL:

FRANKLIN JAMES ROCHELLE II (CTP)...
FRANKLIN ROCHELLE (CP)...PRO/PER
MARIE JOSEE CARROLE ROCHELLE (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Franklin and Marie Rochelle, father & step mother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners seek medical powers. Capacity Declaration filed 06/06/18.
2. Proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **JTD**
3. Proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship an IRC report is therefore optional per Pr. C. § 1827.5(b). **JTD**
4. List of required contacts states sibling and petitioners, no other 2nd degree relatives. Court to inquire if mother or grandparents are surviving.
5. **Need** Confidential Screening form for Marie.
6. **Need** Confidential Supplemental Information.
7. **Need** Duties form.
8. **Need** return of citation.
9. **Need** proposed order appointing Court Investigator.
10. **Need** Court Investigator Referral report form.
11. **Need** Certificates of Completion of the Conservatorship Training Class.
12. **Need** notice of hearing and proof of service.
13. **Need** Court Investigator report.
14. No proposed order submitted.

RECOMMENDATION

Need to clear notes 5-13. If approved, set hearing for Compliance Review for **02/21/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800067

CASE NAME: MARTINEZ VS MARTINEZ

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

PABLO L. MARTINEZ (PP)...PRO/PER

PERFECTA MARTINEZ (RP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1800163 (Pablo Martinez)

Respondent Perfecta Martinez served. Response filed on 06/13/18.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19A ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800090

CASE NAME: WOODCOCK VS. MCFARLAND-MOISER

HEARING:

Hearing Re: Elder/Dependant Adult Abuse

COUNSEL:

JESSIE M WOODCOCK (PP)...PRO/PER

RISSIE MCFARLAND-MOISER (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

TRO Granted 06/28/18. **Need** proof of service for respondent Rissie McFarland-Mosier.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: SG SS6888

CASE NAME: IN THE MATTER OF KATHLEEN S ALMY

SEE ALSO 21

HEARING: Petition for Appointment of successor conservator of the person
& estate

COUNSEL:

BARBARA C ALMY	(CEP)...MARK J. ANDREW FLORY
BARBARA C ALMY	(CPE)...JAMES B CHURCH
KATHLEEN S ALMY	(CEP)...
MARK C ALMY	(CPE)...JAMES B CHURCH
SOUTHERN CALIFORNIA BONDING SE	(TP)...PRO/PER

GENERAL INFORMATION

Continued from 04/12/18 to clear notes. Oral request to amend petition for person only granted. Referred to Court Investigator. Mark Almy appointed temporary Conservator.

THIS CASE SET FOR HEARING ON Petition for Appointment of **Successor** Conservator person ~~and estate~~ by Mark Almy, brother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Barbara Almy, mother, appointed Conservator on 10/03/75. Conservator died on 02/21/18. All Forms in original conservatorship appear to be outdated.**
2. Petitioner is nominated by sister.
3. Report of Counsel Church filed 02/23/18.
4. Petitioner seeks medical powers. Does court wish to require Capacity updated Declaration? **JTD**
5. Certificate of Completion of the Conservatorship Training Class filed 04/02/18.
6. **Need** Court Investigator report.
7. ~Proposed Form Order: 02/21/18

RECOMMENDATION

Need Court Investigator report. If approved, set hearing for Compliance Review for **02/21/19** for the filing of the required documents and hearing re Accounting Review for **09/26/19**. Any accounting to be filed 30 days in advance.

(lc)

Future hearing dates: 08/23/18 Final Account by Barbara Almy

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 07/19/18 TIME: 9:30 DEPT: S37P

CASE#: SG SS6888

Vacated

CASE NAME: IN THE MATTER OF KATHLEEN S ALMY
SEE ALSO 20

HEARING:
Accounting Review by ***

COUNSEL:

BARBARA C ALMY	(CEP)...MARK J. ANDREW FLORY
BARBARA C ALMY	(CPE)...JAMES B CHURCH
KATHLEEN S ALMY	(CEP)...
KATHLEEN S ALMY	(MIN)...
MARK C ALMY	(CPE)...JAMES B CHURCH
SOUTHERN CALIFORNIA BONDING SE	(TP)...PRO/PER

(lc)

Future hearing dates: 08/23/18 Final Account by Barbara Almy